

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

MAR 10 2020

David J. Bradley, Clerk

United States of America
 v.
 David FRAUSTO
 YOB: 2000 Citizenship: United States

Case No.

M-20-0659-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 09, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. § 841

knowingly and intentionally possess with intent to distribute 11.26 kilograms of cocaine, a Schedule II controlled substance

21 U.S.C. § 952

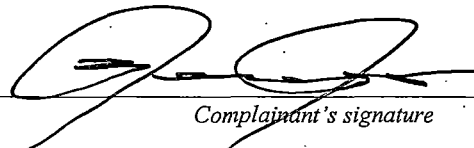
knowingly and intentionally import with the intent to distribute 11.26 kilograms of cocaine, a Schedule II controlled substance

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

Approved by AUSA Amy L. Greenbaum 3/10/2020
 Amy L. Greenbaum

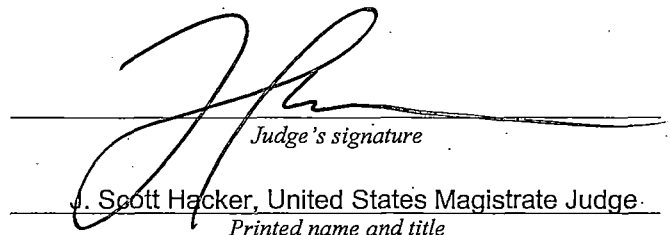


Complainant's signature

Jaris Jones, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/10/2020City and state: McAllen, Texas


Judge's signature

J. Scott Hacker, United States Magistrate Judge

Printed name and title

Attachment A

On March 09, 2020, Department of Homeland Security (DHS) Homeland Security Investigations (HSI) Special Agent (SA)s, received information that a vehicle was attempting to enter the United States from Mexico via the Anzalduas Port of Entry (POE) in Mission, TX. David FRAUSTO arrived at the Anzalduas POE driving a white Chevrolet Impala with Texas Plates KHH1481. He was the sole occupant of the vehicle. FRAUSTO was referred for secondary inspection as a random inspection. The vehicle was taken for x-ray scans and anomalies were observed in the front floorboard. Officers located a white powdery substance hidden in a non-factory compartment in the front floorboard of the vehicle. The substance field tested positive for characteristics of cocaine. Customs and Border Protection Officers removed ten individually wrapped bundles weighing approximately 11.26 kilograms. All of the facts of this investigation are not completely known at this time; the facts gathered herein are for the purposes of establishing probable cause within this complaint.

On March 09, 2020, at approximately 10:30 AM. HSI SA Jaris Jones and Customs and Border Protection Officer and Task Force officer (CBPO TFO) Ana Aguilar interviewed FRAUSTO, who waived his Miranda rights in writing. FRAUSTO stated that the vehicle he was driving was his vehicle and that he is the only person that has access to the vehicle. He stated there is only one copy of the car keys, which were the keys in his possession. The vehicle was registered under FRAUSTO's name and he has owned the vehicle for almost a year. The wrapping on the bundles appeared to be fresh and newly packaged.

FRAUSTO stated that he is a student at South Texas College. When asked for the names of his college class instructors, FRAUSTO was unable to provide the actual names of the individuals that are teaching any of his classes. Upon a search of the vehicle, officers located a backpack that contained a coloring book with no other college course work inside.

FRAUSTO then stated that was going to visit his future girlfriend before returning home to Reynosa. Throughout the interview, FRAUSTO provided inconsistent statements as to what his activities were going to be while in the United States.